

REMARKS

Applicants note that claim 20 stands objected to because of an informality in reciting “said vent,” wherein the claim from which it depends recites “hole.” Accordingly, claim 20 has been amended so as to recite “hole” as to conform its antecedent basis with that of the claim from which it depends. Withdrawal of any objection is respectfully requested.

Reconsideration of the previous rejections claims 14, 18-21, and 23 under 35 U.S.C. §102(b) allegedly as being anticipated by Nelson (U.S. Patent 5,618,602) is respectfully requested in view of the foregoing amendments and the following comments.

By the foregoing amendment, the limitations of previous claim 16 have been incorporated into independent claim 14, and claims 15 and 17 have been rewritten in independent form incorporating the limitations of the claims from which they depended. Accordingly, as none of claims 15, 16 or 17 were rejected under 35 U.S.C. §102(b) over Nelson, these claims are now in condition for immediate allowance. Additionally, independent claim 18 has been amended so as to make it clear that the hole, in fluid communication with said gap, has an opening below said groove. This is in clear distinction to the cited Nelson reference which specifically avoids a hole having an opening below the groove in fluid communication with a gap. As can be seen from Fig. 4 and the disclosure, at column 4, lines 29-35, “glue 20 flows past beveled edge 30 and through space 31 between the upper surface 27 of tongue 26 and the upper surface 17 of groove 16. The lower surfaces 28 of tongue 26 and the lower surface 18 of groove 16 are abutted, thereby providing an impediment to glue flowing between the lower surfaces 28 and 18 of the tongue and groove” (emphasis added). What this means is that Nelson precludes fluid communication of the glue contained in Fig. 4 with a hole in fluid communication therewith, which hole has an opening below said groove.

Similarly, claim 23 has been amended so as to recite not only the step of "directing said glue away from said upper surface," but, also, "towards said lower surface of said boards." This is contrary to the teaching of Nelson. As noted in the aforementioned column 4, lines 29-35, the glue in Nelson is forced upward past beveled edge 30 and through space 31 between the upper surface 27 of tongue and the upper surface 17 of groove 16. The lower surfaces 28 of tongue and the lower surface 18 of groove 16 are abutted, thereby providing an impediment to glue flooring between the lower surfaces 28 and 18 of the tongue and groove. This is also shown in Fig. 4 in which the glue rises upward through channel 32 to exit at the upper surfaces of the panels in the bead clearly shown in Fig. 4 of Nelson. Applicants respectfully submit that the foregoing amendment avoids the rejection under 35 U.S.C. §102(b) allegedly as being anticipated by Nelson and withdrawal of the rejection is, therefore, respectfully requested.

The previous rejection of claims 14-23 under the judicially created doctrine of obviousness-type double patenting is obviated by the timely filed Terminal Disclaimer, together with the government fee therefore.

Having previously responded to the Office Action, applicants respectfully withdrawal of all rejections and passage of the application to issue.

Respectfully submitted,



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